

8. (amended) A collapsible grill and stand as set forth in claim 6, wherein said rotation limiting assembly permits said outer end of said arm of said connecting member extending laterally from said upright post to be arcuately movable between a position over said heating location to be occupied by a separate cooking source and a position away from said location for access to the food being cooked on said grill.

9. (amended) A grill and stand, comprising a grill member and lateral positioning arm supported by a stand above a heating location to be occupied by a separate cooking source below said grill member and lateral arm, said grill member being fully rotatable and manually liftable from said positioning arm, all parts of said stand supporting said grill member and lateral positioning arm being spaced apart laterally from said heating location said stand having a downwardly facing lower surface for contact with a floor or other supporting surface on which said stand is placed, all parts of said stand and said grill being above said downwardly facing lower surface whereby no part thereof penetrates into said floor or other supporting surface on which said stand is placed.

Remarks

Claims 1, 2, 4, 5, 6, 7, 8 and 9 have been amended. Claims 1 – 9 remain in the case.

Claims 1 – 9 were rejected under 35 U.S.C. 102(b) as being clearly anticipated by Fieber (U.S. 5,287,844). Claim 1 has been amended to specify that the grill is a rotatable member, that it has a central hub, that it is completely rotatable around the central hub so different food items on different parts of the grill can be rotated to different positions above the fire or heating source such as from a hotter location to a cooler location, and

that the rotatable grill member can be manually lifted off from the pivot post of the stand's connecting member. The Fieber patent discloses a grill that does not rotate on a central hub and cannot rotate on a central hub. It is secured to the stand by a bracket which itself can be pivoted around the upright support of the stand itself. The grill can be pivoted by that different construction away from the fire and back into position over the fire, but individual food items on different parts of the grill cannot be rotated from a location above a hotter part of the fire to a location above a cooler part, or vice versa. Also, the grill in the Fieber patent cannot be manually lifted off and away from the stand. The bracket screw has to be loosened, and the tongue of the grill then has to be slid out and away from the bracket. This can only be done after the grill and stand have been allowed to cool and after the food items have been taken off of the grill. In the present invention, it is possible to lift the grill from its pivot post quickly enough to do it without waiting for the fire to be put out, and without necessarily removing the food from the grill. In any event, it would not be obvious for one of ordinary skill in the art to think of the particular fully rotatable grill construction in accordance with the present invention from seeing the different kind of camp grill disclosed in the Fieber patent. Claims 2 – 8 depend from claim 1 and thus include the foregoing amendment of claim 1, and claim 9 has been amended to include the substance of such amendment.

Claims 2 and 3 were rejected under 35 U.S.C. 102(b) as being anticipated by Scheller (U.S.5,944,009). The Scheller patent does not disclose a grill that is a rotatable member rotatably mounted on a pivot post, nor does it disclose a grill that can be simply lifted off from a pivot post on which it is mounted. Claim 1 has been amended to include those features, which are incorporated in claims 2 and 3 by being ultimately dependent on

claim 1. There is also nothing disclosed in the Scheller patent that would make it obvious to provide a pivot post for a rotatable grill member, ^{NOR} ~~not~~ to provide a grill member that has a central hub about which it could be made to pivot or rotate. The chain harness 44 of Scheller in fact teaches away from the idea of providing a rotatable grill having a central hub mounted on a pivot post.

Claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over Fieber (U.S. 5,287,844). Claim 7 as amended is made dependent on Claim 1 which as stated above has been amended to avoid the Fieber reference patent. If Claim 1 as amended is now patentable over the Fieber reference, claim 7 is also patentable over the Fieber reference for the same reasons.

Claim 4 was rejected under 35 U.S.C. (103(a) as being unpatentable over Scheller as applied to claim 2, in view of Robertson (U.S. 4,117,825). In claim 4 as amended the pivotable support members rotate about the longitudinal axis of the upright support member. In the Scheller-Robertson combination, the support members of Robertson are shown to pivot upwardly toward a position adjacent to and parallel to the upright post 112 rather than to rotate about the longitudinal axis of the post 112. Furthermore, the Scheller-Robertson combination of patents does not appear to disclose that one of the laterally extending support members is fixed or rigid relative to the post 112 of Robertson whereas in the present invention as set forth in claim 4, one of the laterally extending support members is fixed while the others are rotatable about the longitudinal axis. Such construction would not be obvious from what is disclosed in the Scheller and Robertson patents.

Claims 5, 6 and 8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Scheller as applied to claim 2 in view of Gallatly (U.S. 4,065,085). The rotation limiting assembly of Gallatly is substantially different from that of the present invention. While the Gallatly patent does disclose a collar 16, it does not disclose or suggest a collar that has an arcuate slot therein to receive a lug which limits rotation to the lateral dimension of the slot. Claims 5, 6 and 8 do include such inventive feature, and thus appear to be patentably distinguishable from the Scheller-Gallatly combination.

For the reasons, amendments and arguments set forth above, the application as amended appears to overcome the rejections and reconsideration is respectfully requested.

A clean copy of all of the claims in the case as presently amended is included herewith..

Respectfully submitted,


Ernest Kettelson Reg. No. 20421
Attorney for Applicant

November 4, 2004

Ernest Kettelson
Kettelson Law Offices, Ltd.
Wynderidge Place
P.O. Box 2517
Joliet, Illinois 60434
Phone: 815-467-1400
Fax : 815-467-1461

I certify that this document was deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P. O. BOX 1450, Alexandria, Virginia 22313-1450 on the 4th day of November, 2004


Ernest Kettelson